

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ALAN D. PAUL,)	
)	
Plaintiff,)	
)	C.A. No.: 06-00225 (MPT)
v.)	
)	Trial By Jury Demanded
DELOITTE & TOUCHE, LLP,)	
and DELOITTE & TOUCHE, USA, LLP,)	
)	
Defendants)	

MOTION FOR ADDITIONAL PAGES

The plaintiff, pursuant to L.R. 7.1.3, moves this Court for an additional ten (10) pages for his answering brief in response to defendants' motion for summary judgment. The basis for this motion is as follows:

1. This request is based upon the complexity of the issues, including not only the significant factual matters, relating to the claim of discrimination, but the defendants' challenge to this Court's jurisdiction to hear the claim under the ADEA, which alleges that the plaintiff was not an "employee" within the meaning of that statute.

2. The factual issues necessary to be presented to deal with that jurisdictional challenge are separate, apart, and distinct, from those issues dealing with the substantive claim of discrimination. Thus, the additional pages are necessary to adequately set forth the necessary facts to deal with the defendants' two separate and distinct arguments.

3. It is suggested that this request is not unreasonable, since the total pages that would be allotted to the plaintiff would still be ten (10) pages fewer than those the rule allows the moving party, the defendants, in their opening brief (40 pages) and reply brief (20 pages).

Respectfully submitted,

/s/ Gary W. Aber

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DATED: September 5, 2008

SO ORDERED, this _____ day of September, 2008.

J.

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Defendants)	

CERTIFICATION PURSUANT TO L.R. 7.1.1

The plaintiff has consulted with defense counsel in this matter, by telephone, and defense counsel does not consent to this motion.

ABER, BAKER & OVER

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